

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 102 (Chair, Education, Health, and Environmental Affairs  
Committee)(By Request - Departmental - Office for  
Children)

Education, Health, and Environmental Affairs

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**Governor's Office for Children and Services to Children**

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This departmental bill repeals provisions of law establishing the State Coordinating Council for Children and the Advisory Council to the Children's Cabinet. The bill also repeals numerous requirements relating to the Governor's Office for Children (GOC).

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**Fiscal Summary**

**State Effect:** The bill's changes do not materially impact State operations or finances.

**Local Effect:** None.

**Small Business Effect:** GOC has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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**Analysis**

**Bill Summary:** The bill removes the Executive Director of GOC from the State Early Childhood Advisory Council and the Council for the Procurement of Health, Educational, and Social Services. It also repeals a requirement for GOC to participate with other State agencies in the development and implementation of rates for residential and nonresidential child care programs that are licensed or approved by the State. The bill repeals a requirement for the Juvenile Justice Monitoring Unit (JJMU) within the Office of the Attorney General (OAG) to collaborate with GOC in all matters related to the licensing and monitoring of children's residential facilities and to submit various reports to GOC.

It also repeals the requirement for a local school system seeking nonpublic tuition payment for a child with a disability who needs special education and related services to obtain funding approval from the local coordinating council and the State Coordinating Council, as specified.

**Background/Current Law:** GOC advises that the bill is intended to facilitate the goals of streamlining government, identifying efficiencies, and eliminating unnecessary obligations that require staff time and resources. After a review of all statutes relating to GOC, its Executive Director, and the Children’s Cabinet, GOC determined that several entities, activities, and memberships should be eliminated, as discussed below.

#### *Advisory Council to the Children’s Cabinet*

The Children’s Cabinet, chaired by the Executive Director of GOC, works to ensure the effective, efficient, and comprehensive delivery of services to Maryland’s children and families by coordinating the programs, policies, and budgets of the State child-serving agencies. The Children’s Cabinet includes the secretaries of the Department of Budget and Management, the Department of Disabilities (DoD), the Department of Health and Mental Hygiene (DHMH), the Department of Human Resources (DHR), the Department of Juvenile Services (DJS), and the State Superintendent of Schools.

The purpose of the Advisory Council to the Children’s Cabinet is to make recommendations to the Children’s Cabinet on numerous matters, including methods for meeting the State’s policy and program goals for integrated children and family programs, promoting positive outcomes for youths, and funding practices that prevent juvenile crimes and delinquency. GOC advises that the Children’s Cabinet can continue its work without the need of the advisory council.

#### *State Coordinating Council for Children*

The State Coordinating Council for Children comprises representatives from GOC, DHR, DJS, DHMH, DoD, and the Maryland State Department of Education. GOC indicates that the council was established in 1982 in response to persistently high numbers of youth placed in out-of-state residential facilities. Over the past 30 years, the number of out-of-state placements has decreased dramatically due to the efforts of the council, State agencies, and local management boards. According to GOC, the council’s general responsibilities have largely been eliminated and it is no longer responsible for reviewing or approving individual placements to out-of-state facilities or programs. Instead, the relevant agencies are responsible for placement decisions and have established the safeguards or internal reviews necessary to eliminate unnecessary out-of-state placements. Consequently, there is no longer a need for the council.

### *Juvenile Justice Monitoring Unit of the Office of the Attorney General*

OAG's JJMU investigates and determines whether the needs of children under the jurisdiction of DJS are being met in compliance with State law, that their rights are being upheld, and that they are not being abused. Although JJMU was originally located within the former Office for Children, Youth, and Families (the predecessor to GOC), it transferred to OAG in 2006. GOC advises that it has had no involvement with JJMU since that time and that JJMU can continue to serve its intended purpose by collaborating with and reporting to DJS.

### *Council for the Procurement of Health, Educational, and Social Services*

Chapters 212 and 213 of 2012 established the Council for the Procurement of Health, Educational, and Social Services. The council's duties include advising the Board of Public Works on problems in the procurement process, making recommendations to improve the process, and providing a forum for the discussion of specific procurement issues and problems that arise. GOC advises that it should be removed from this body as it does not and was never intended to implement programs and accordingly lacks the experience or expertise to provide input on the procurement of services.

### *State Early Childhood Advisory Council*

Chapter 232 of 2014 established the State Early Childhood Advisory Council. The council's purposes include coordinating efforts among early childhood care and education programs and conducting needs assessments concerning early childhood education and development programs. GOC advises that its core work is not related to these functions and that the council can continue to serve its intended purpose without participation from GOC.

### *Miscellaneous Provisions*

GOC also advises that it should be removed from the process of setting rates for out-of-home placement programs and funding approvals relating to nonpublic tuition payments for children with disabilities, as other State agencies are fully engaged in these matters and GOC's role is superfluous.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Governor's Office for Children, Maryland State Department of Education, Department of Budget and Management, Department of Disabilities, Department of Health and Mental Hygiene, Department of Human Resources, Department of Juvenile Services, Department of Legislative Services

**Fiscal Note History:** First Reader - January 18, 2016  
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**ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESS**

**TITLE OF BILL:** Governor's Office for Children and Services to Children

**BILL NUMBER:** SB 102

**PREPARED BY:** Governor's Office for Children  
(Dept./Agency)

**PART A. ECONOMIC IMPACT RATING**

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

**PART B. ECONOMIC IMPACT ANALYSIS**